

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-11902
Non-Argument Calendar

<p>FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT September 22, 2005 THOMAS K. KAHN CLERK</p>
--

D. C. Docket No. 04-00437-CR-1-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LEONEL CUADROS-RAYA,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Georgia

(September 22, 2005)

Before TJOFLAT, BIRCH and BARKETT, Circuit Judges.

PER CURIAM:

Appellant pled guilty to unlawful reentry by a deported alien, in violation of
8 U.S.C. § 1326(a) and (b)(2), and the district court sentenced him to a prison term

of thirty-three months to run consecutively to a sentence appellant was (and still is) serving in a state penitentiary. He now appeals his sentence, contending that it is “unreasonable.” See United States v. Booker, 543 U.S. ___, 125 S.Ct. 738, 160 L.Ed.2d 621 (2005). It is unreasonable, he says, because the court should have provided that the sentence run partially concurrently with his state sentence, rather than consecutively.

Booker instructs that after consulting the Sentencing Guidelines, a sentencing judge is to consider the “sentencing goals” set out in 18 U.S.C. § 3553(a). Id. ___, 125 S.Ct. at 764. Section 3553(a), in turn, instructs that the judge first consider, among other things, the nature and circumstances of the offense, the history and characteristics of the defendant, and the need for the sentence to reflect the seriousness of the offense, promote respect for the law, and provide just punishment for the offense.

In the circumstances of this case, we conclude that appellant’s sentence is reasonable. The court properly determined the Guidelines sentence range, treated that range as advisory, and considered all of the § 3553(a) factors. After doing this, the court imposed a relatively minimal sentence given the fact that appellant was subject to a twenty-year maximum sentence, see 8 U.S.C. § 1326(b)(2).

AFFIRMED.